IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 675 OF 2001.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA IN THE NATURE OF PUBLIC INTEREST LITIGATION.

PETITIONER : Smt. Jharna Sarkar
W/o Amrit lal Sarkar
aged about 25 years, Occupation Sarpanch, Village Panchayat-Hariharpur Block Koilibada, Teh. Pakhanjur , Distt. Kanker (Chhattisgarh.)

VERSUS

RESPONDENT :

1. State of Chhattisgarh Through Secretary Educational department Secretariat Raipur (Chhattisgarh).

2. Depty Director Educational department Kanker (C.G.)

3. District Educational Officer, Kanker (C.G.)

(Petition in the nature of Public Interest litigation under article 226/227 of the Constitution of India, for issuance of an appropriate writ direction and/or order).

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 675/2001

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-9-2001

Shri Shailesh Ahuja, Advocate for the petitioner.

Shri Gautam Bhaduri, Govt. Advocate for the State/ respondents.

Heard learned counsel.

Shri Ahuja submits that 3 copies have been supplied to the State but inspite of that, reply has not been filed.

The petitioner has filed this petition styling as Public Interest Litigation. The petitioner submits that the State of Chhattisgarh should establish a new middle school in village Chadipur. It is stated that 636 students have submitted a representation. A copy of the representation has been filed as Annexure P/1. It is stated that because there being no school, the persons of the village are facing difficulty.

The State Government has to be equally careful about the difficulties and Kanker being a trible district, literacy and education has to be there. The persons are coming forward for such a demand and it shows awareness ~~and~~ Counsel for petitioner submits that they have approached for good and public cause and in accordance with the directions contained in Directive Principles of State Policy under Part IV of Constitution of India.

Dr. N.K.Shukla, Dy. Advocate General is present

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

W.P. No. 675/2001

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

in Court. He is also heard.

Having heard and considering the question, we are of the opinion that the State being a welfare State shall do its best, and respondent no. 1 shall consider the matter and decision shall be taken as early as possible preferably within one month from today keeping all factors into consideration. The decision shall be communicated to the petitioner and if any adverse decision is taken, the petitioners is at liberty to file petition afresh. The petitioner may also submit copy of this order along with copy of the petition.

Subject to what has been stated above, the petition is disposed of.

Security deposited, if any, be refunded.

Certified photocopy free of cost to both the parties.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

Pathak/-

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